**HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE**

**AND**

**HON'BLE SHRI JUSTICE G. V.SEETHAPATHY**

**WRIT PETITION No. 11982 OF 2006**

**Between:**

Chennupati Singaiah and another

**……Petitioners**

**And**

The State Election Commission,
IIIrd Floor, Buddha Bhavan, M.G.Road,
Secunderabad and three others

**……Respondents**

**:: ORDER ::**

Counsel for the Petitioners : Sri V.Venugopala Rao

Counsel for Respondent No.1 : Shri V.V.Prabhakar Rao

Counsel for Respondent Nos.2 to 4 : Government Pleader for Panchayat Raj

**Dated: 04-08-2006**

**Per G.S. SINGHVI, CJ**

In this petition, the petitioners have prayed for striking down the names of the alleged bogus voters from the electoral roll of Annambhotlavaripalem Village, Paruchuru Mandal, Prakasam District and to restrain those voters from participating in the elections to the gram panchayat.

On 25-07-2006, learned counsel for the petitioners made a request for adjournment to enable his clients to implead those persons as party respondents whose names are sought to be deleted from the electoral roll. Thereafter, WPMP No.19415 of 2006 has been filed for impleadment of Vidapalapati Nageswara Rao and six others as respondent Nos.5 to 11.

At the hearing, we inquired from Sri V.Venugopal Rao, whether elections to the Gram Panchayat of Village Annambhotlavaripalem are yet to be held. In reply, learned counsel submitted that the elections have already been held on
29-07-2006. He, however, submitted that the Court should adjudicate the issue raised in the writ petition because that may help his clients to pursue remedies provided under the Andhra Pradesh Panchayat Raj Act, 1994 (for short 'the 1994 Act').

In our opinion, once the election has been held, the issue raised in the petition has become academic and keeping in view the settled law that the High Court should not adjudicate academic issues, we refrain from expressing any opinion on the legality or otherwise of the inclusion of the names of
Sri Vidapalapati Nageswara Rao and six others in the electoral roll of Annambhotlavaripalem Village.

With the above observations, the writ petition is disposed of as infructuous leaving the petitioners to avail remedy under Section 33 of the 1994 Act, if they have any grievance against the result of the election.

As a sequel to disposal of the main petition, W.P.M.P No. 19415 2006 filed by the petitioners is also disposed of as infructuous.

**G.S.SINGHVI, CJ**

**G.V.SEETHAPATHY,J**

04-08-2006
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